

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**UNITED STATES OF AMERICA, )**

***ex. rel.* )**

**ELIZABETH A. COOLEY )**

**)**

**Plaintiff, )**

**)**

**v. )**

**)**

**ERMI, LLC f/k/a ERMI, INC.; )**

**THOMAS P. BRANCH, M.D.; )**

**CHUTE 15, INC.; )**

**ARTHRORESEARCH, LLC; )**

**ROBODIAGNOSTICS, LLC; and )**

**END RANGE OF MOTION )**

**IMPROVEMENT, INC. )**

**)**

**Defendants. )**

**)**

**Civil Action No. 1:20-cv-04181-TWT**

**MOTION TO DISMISS PLAINTIFF/RELATOR  
ELIZABETH A. COOLEY'S FIRST AMENDED COMPLAINT**

For the reasons set forth in the accompanying memorandum in support, Defendants ERMI, LLC f/k/a ERMI, Inc.; Thomas P. Branch, M.D.; Chute 15, Inc.; Arthroresearch, LLC; Robodiagnostics, LLC; and End Range Of Motion Improvement, Inc. move to dismiss Plaintiff/Relator Elizabeth A. Cooley's First Amended Complaint in its entirety pursuant to Federal Rules of Civil Procedure 8(a), 12(b)(6), and 9(b).

Respectfully submitted this 4th day of October, 2021.

**PARKER HUDSON RAINER &  
DOBBS LLP**

/s/ Robert M. Brennan

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ERMI, Inc.; Thomas P. Branch,  
M.D.; Chute 15, Inc.;  
Arthroresearch, LLC;  
Robodiagnostic, LLC; and End  
Range Of Motion Improvement,  
Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing  
**MOTION TO DISMISS PLAINTIFF/RELATOR ELIZABETH A. COOLEY'S FIRST AMENDED COMPLAINT** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record in this action.

This 4th day of October, 2021.

*/s/ Robert M. Brennan*  
Robert M. Brennan